

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**  
**DOCKET NO. 2005-193-T**

IN RE:

Petition of the Office of Regulatory	)	
Staff to Revoke the Certificate of	)	
Public Convenience and Necessity of	)	MOTION FOR IMMEDIATE
Greenville Transportation, LLC d/b/a	)	SUSPENSION OF CERTIFICATE
A Cab	)	OF PUBLIC CONVENIENCE AND
For Failure to Maintain and File	)	NECESSITY
Evidence of Insurance	)	

The Office of Regulatory Staff, by the filing of this Motion would respectfully show and request of the Commission:

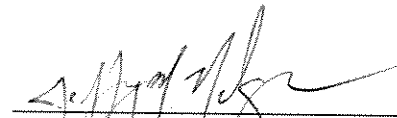
1. That contemporaneously with this Motion, the Office of Regulatory Staff (“ORS”) did file with the Commission a Petition For Rule to Show Cause in the above captioned matter requesting the Commission to schedule a formal administrative hearing to revoke the Certificate of Public Convenience and Necessity of Greenville Transportation, LLC d/b/a A Cab (herein “A Cab” or “the Company”) See Attachment A, Certificate of Public Convenience and Necessity issued by the Commission to **GREENVILLE TRANSPORTATION, LLC D/B/A A CAB** on **July 22, 2005**.
2. That as shown in attachments to that Petition, the ORS evidenced that Gateway Insurance Company cancelled the motor carrier insurance policy of A Cab effective July 16, 2006. See Attachment B, Form K.

3. That as a result of the receipt of the Form K, the ORS contacted **GREENVILLE TRANSPORTATION, LLC D/B/A A CAB** requiring that the Company provide evidence of insurance to the ORS within thirty (30) days as **GREENVILLE TRANSPORTATION, LLC D/B/A A CAB** would no longer have insurance as required under S.C. Code Ann. §58-23-910 (Supp. 2004) on July 16, 2006. See Attachment B, Form K and Attachment C, Certified Letter of George Parker.
4. That in further support of this Motion, the ORS hereby provides as Attachment D the Affidavit of Jeanne Gordon evidencing that A Cab has failed to respond or otherwise provide proof of insurance to the ORS since that date.
5. That the Commission's own regulations specifically provide that the mere failure of a company to file evidence of insurance is sufficient grounds for the suspension of a Certificate of PC&N. As stated in 26 S.C. Code Regs. 103-175 (Supp. 2005) "Either a failure to file evidence of insurance or surety bond or failure to keep all insurance or bonds in full force and effect shall be just cause for the Commission **without further evidence or hearing**, to suspend its order granting authority or to suspend the certificate or any license issued to the motor carrier." (emphasis added). Further, 26 S. C. Code Regs. 103-240 (Supp. 2005) provides in relevant part that "this rule (providing for notice an opportunity to be heard) shall have no effect upon rules hereinbefore set forth which authorize suspension, revocation, alteration, or amendment of a

certificate or of an existing order granting operating rights **without hearing** where certain conditions exist.”

6. That while this matter is awaiting a hearing before the Commission, such continued operation by A Cab without any form of insurance is contrary to the public interest as an uninsured motor carrier may pose a threat to customers of the Company and the general public, who would be unaware of A Cab’s lack of insurance.

**WHEREFORE**, the ORS staff prays that this Honorable Commission immediately and without further evidence or hearing suspend, pursuant to 26 S.C. Code Regs. 103-175 (Supp. 2005), the Certificate of Public Convenience and Necessity, Number 7591, of Greenville Transportation, LLC d/b/a A Cab (issued under Order No. 2005-371 in Docket 2005-193-T) and for such other appropriate action which the Commission may deem necessary and proper.



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Jeffrey M. Nelson, Esquire  
Nanette S. Edwards  
Office of Regulatory Staff  
PO Box 11263  
Columbia, SC 29211

September 6, 2006  
Columbia, SC

Office of Regulatory Staff  
Columbia, South Carolina



CLASS C

PSC Docket No. 2005-193-T  
PSC Order No. 2005-371  
ORS Certificate No. 7591

Certificate of Public Convenience and Necessity  
For the Operation of  
MOTOR VEHICLE CARRIERS

NAME: GREENVILLE TRANSPORTATION, LLC D/B/A A CAB  
ADDRESS: 1150 PENDLETON STREET, GREENVILLE, SC 29601

is hereby authorized, pursuant to the order of the Public Service Commission of South Carolina, to furnish passenger service by means of motor propelled vehicles as follows:

BETWEEN POINTS AND PLACES IN GREENVILLE, SPARTANBURG, AND PICKENS  
COUNTIES, SOUTH CAROLINA,

RESTRICTED TO: FIVE (5) PASSENGERS.

THIS CERTIFICATE is issued upon finding by the Public Service Commission, that Public Convenience and Necessity require such operation, under the terms of the Motor Vehicle Carriers' Law (Sections 58-23-10 – 58-23-60 of the South Carolina Code of Laws, 1976, and amendments thereto), and,

**CONDITIONED:** That all motor vehicles operated by virtue of this Certificate shall be so operated in accordance with the said Motor Vehicle Carriers' Law and the Rules and Regulations issued thereunder, and,

**CONDITIONED FURTHER:** That neither this Certificate nor the rights granted herein shall be sold, assigned, leased, transferred, mortgaged, pledged, or otherwise hypothecated, unless first approved by the Commission.

DATED at Columbia, South Carolina, this 22<sup>ND</sup> day of JULY A.D., 2005.

*Katie C. Morgan*

Katie C. Morgan, Director  
Transportation, Telecommunications  
Water/Wastewater

FORM K  
UNIFORM NOTICE OF CANCELLATION OF  
MOTOR CARRIER INSURANCE POLICIES  
(EXECUTED IN TRIPLICATE)

Attachment B

Check Type Canceled  
BI and PD ☒  
Cargo ☐

Filed with SOUTH CAROLINA OFFICE OF REGULATORY STAFF (hereinafter called Commission) REGULATORY STAFF  
(NAME OF COMMISSION)

This is to advise that under the terms of a policy or policies issued TO

GREENVILLE TRANSPORTATION, LLC DBA A CAB  
(NAME OF MOTOR CARRIER)

of

1150 PENDLETON STREET GREENVILLE, SC 29601  
(ADDRESS OF MOTOR CARRIER)

by

GATEWAY INSURANCE COMPANY  
(NAME OF COMPANY)

of

1401 SOUTH BRENTWOOD SUITE 1000 ST. LOUIS MO 63144  
(ADDRESS)

aid policy or policies, including any and all endorsements forming a part thereof or certificates issued in connection therewith, is (are) hereby  
anceled effective as of the 16<sup>th</sup> DAY OF JULY, 2006, 12:01 A.M., standard time at the address of the Insured as stated in said policy or  
olicies provided such date is not less than thirty (30) days after the actual receipt of this notice by the Commission.

Insurance Company File No CAP 615290501  
(POLICY NUMBER)

  
(SIGNATURE OF INSURER)

C 2445 (4-68)

IRB 3547A

C. DUKES SCOTT  
EXECUTIVE DIRECTOR

P.O. Box 11263  
Columbia, S.C. 29211



Phone: (803) 737-0800  
Fax: (803) 737-0801

DAN F. ARNETT  
CHIEF OF STAFF

KATIE C. MORGAN  
DIRECTOR  
TELECOMMUNICATIONS, TRANSPORTATION, WATER/WASTEWATER

June 14, 2006

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

GREENVILLE TRANSPORTATION, LLC DBA  
A CAB  
1150 PENDLETON STREET  
GREENVILLE, SC 29601

**RE:     *Public Service Commission Required Intrastate Insurance Filing***

Dear Sir/Madam:

Pursuant to S.C. Code Regs 103-170.1, all motor carriers regulated by the Public Service Commission must file evidence of current insurance.

The Office of Regulatory Staff has received the following notice affecting your current insurance coverage:

Insurance Type:	Public Liability and Property Damage Insurance Policy No <b>CAP615290501</b>
Issued by:	GATEWAY INSURANCE COMPANY
Will be:	<b><u>CANCELLED EFFECTIVE 07/16/06 at 12:01 a.m.</u></b>

To remain in compliance with the Public Service Regulations, it is necessary that you file proof of current insurance coverage with the Office of Regulatory Staff prior to the above listed cancellation date. Proof of insurance can be mailed or faxed to:

State of South Carolina  
Office of Regulatory Staff  
Transportation Department  
PO Box 11263  
Columbia, SC 29211  
Fax number: 803/737-0801

**If you fail to provide this information, you are ordered and directed to cease operations as of the above cancellation date.**

Operation without proper insurance is a violation of the law and you will be subject to all penalties as outlined in the S.C. Code of Law and Regulations.

Please contact the Transportation Department with any questions at 803/737-0800.

Sincerely,

L. George Parker  
Program Manager  
Transportation Department


**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

GREENVILLE TRANSPORTATION,  
JLC DBA  
A CAB  
150 PENDLETON STREET  
GREENVILLE, SC 29601

**COMPLETE THIS SECTION ON DELIVERY**

Signature 		<input type="checkbox"/> Agent
B. Received by (Printed Name)		<input type="checkbox"/> Addressee
C. Date of Delivery 2/16/06		
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No		

3. Service Type	
<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.
4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

2. Article Number  
(Transfer from service label) 7005 0390 0002 6160 0111

US Form 3811, February 2004 Domestic Return Receipt 102595-02-M-154

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**  
**DOCKET NO. 2005-193-T**

**August 17, 2006**

IN RE: Petition of the Office of Regulatory   )  
      Staff to Revoke Certificates of        )  
      Public Convenience and                )  
      Necessity of Certain Motor Carriers   )

AFFIDAVIT OF  
Jeanne Gordon

The Affiant, after having been first duly sworn, deposes and states as follows:

- 1) My name is Jeanne Gordon and I am employed by the Office of Regulatory Staff ("ORS") as Program Specialist for the Transportation Department.
- 2) My office is located at 1441 Main Street, Columbia, South Carolina, 29201 (Mailing Address: Post Office Box 11263, Columbia, South Carolina 29201).
- 3) My duties and responsibilities as Program Specialist for ORS include serving as custodian of records for business filings associated with motor vehicle carriers subject to the jurisdiction of the Public Service Commission ("PSC").
- 4) It is the regular business practice of ORS to maintain certain business records required to be filed by motor vehicle carriers that are subject to the jurisdiction of the PSC.
- 5) As a result of my duties and responsibilities, I have knowledge of the manner in which the books and records are kept and of any books or records which are not complete or which are not on file with ORS.
- 6) On July 16, 2006, I examined the business records on file with ORS.
- 7) I attest that the proof of insurance as required by 26 S.C. Code Regs 103-171 has not been filed with ORS by the following company as of August 16, 2006:

**Greenville Transportation, LLC dba  
A Cab  
1150 Pendleton Street  
Greenville, SC 29601**



AND FURTHER THE AFFIANT SAYETH NOT.

Jeanne Gordon  
Jeanne Gordon  
Program Specialist, Transportation Department  
**Office of Regulatory Staff**  
P.O. Box 11263  
Columbia, South Carolina 29211

Sworn and subscribed before me  
this 16 day of August, 20 06

Susan Hauptmann  
Notary Public for South Carolina  
My Commission Expires: 08-17-07